

REMARKS

Applicants appreciate the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed February 15, 2008. Claims 1, 12, 23, and 25-33 have been amended. Thus, Claims 1, 3-12, 14-23, and 25-33 remain pending. This Reply encompasses a bona fide attempt to overcome the rejections raised by the Examiner and presents amendments as well as reasons why Applicants believe that the claimed invention is novel and unobvious over the applied prior art. Accordingly, Applicant respectfully requests reconsideration and favorable action in this case.

Drawing Objections

The drawings stand objected to as failing to comply with 37 C.F.R. §§ 1.83 and 1.84. Annotated Marked-up Drawings, concurrently submitted herewith, includes annotations to show the changes to the drawings more clearly. Applicants respectfully submit that "logical" data sources are not amendable to illustration. In view of the foregoing remarks and the amendment submitted herewith, Applicants respectfully submit that the objection has been rendered moot. Accordingly, withdrawal of this objection is respectfully requested. Drawings

Specification Objections

The specification stands objected to as failing to comply with 37 C.F.R. § 1.75 for lacking support for the term "tangible storage medium." In light of the amendment submitted herewith, Applicants respectfully submit that the objection has been rendered moot. Accordingly, withdrawal of this objection is respectfully requested.

Rejections under 35 U.S.C. § 102

Claims 1, 12 and 23 stand rejected as anticipated by U.S. Publication No. 2002/0029275 (hereinafter "Selgas"). Applicants respectfully traverse the rejection.

With regard to the rejection of independent Claim 1, Claim 1 recites:

A method for detecting gaps in data, comprising: defining at least a first stream associated with a particular user's activities and a second stream associated with that user's activities from a network topology for presenting a logical website, wherein each of the streams is a logical data source associated with one or more servers, wherein each server has

hosts, data locations, or a combination thereof associated with the server, and wherein each server is responsible for running a different portion of the logical website; associating incoming data with one of the streams based on a source of the incoming data, wherein the source is one of the one or more servers or one of the hosts or data locations associated therewith and the incoming data comprises data regarding previous activities at one of the one or more servers, hosts, or data locations; calculating a data loss for each stream, wherein the data loss is calculated between a next event and a last event in the stream; determining whether each stream has a gap based upon the calculated data loss and when all streams are gap free, recreating the user's activities.

However, Selgas describes that an Internet service provider (ISP) provides access for one or more users 110a, 110b to the Internet 100 through a physical interface (see paragraph 0058). Selgas further describes that:

After the network services database 204 is read, the user's operating system files (which in the case of a Windows operating system comprises Registry and INI files, Protocol files, and Physical Adapter files) are examined to determine if any networking options have been installed and whether or not the files, if installed, are correct and configured properly as part of the "No Protocol" decision block. If no Protocol or Adapter has been installed, the "True" path will be followed whereby the Installation function will configure the Adapter and necessary Protocol to successfully connect the user 100 to a network such as the Internet 100. If the Protocol or Adapter that is installed is misconfigured, the "False" path will be used whereby the Installation function will reconfigure the Adapter and necessary Protocol to successfully connect the user 100 to a network such as the Internet 100 (see paragraph 0111].

Thus, Claim 1 is directed to detecting gaps in streams that represent recorded data regarding a user's activities at a server, host, or other data source, while Selgas is directed to

providing Internet access to users and, if it is determined that an operating system is mis-configured, reconfiguring the operating system. Applicants respectfully submit that Selgas appears to be silent regarding a "user's previous activities at one of the one or more servers, hosts, or data sources." Furthermore, Selgas fails to show that "when all streams are gap free, recreating the user's activities" as set forth in Claim 1.

Since Selgas fails to disclose the recitals of Claim 1, Applicants respectfully request that the rejection of Claim 1 be withdrawn. For reasons similar to those set forth above, Applicants also respectfully request that the rejection of Claims 12 and 23 be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 3-5, 14-16 and 25-27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Selgas in view of U.S. Publication No. 2002/0095322 (hereinafter "Zarefoss"). Applicants respectfully submit that the foregoing remarks regarding Selgas apply equally well here. Applicants note that Zarefoss is not cited for teaching, suggesting, or disclosing a method for detecting gaps in data comprising defining at least a first stream associated with a particular user's activities and a second stream associated with that user's activities from a network topology for presenting a logical website and when all streams are gap free, recreating the user's activities as set forth in independent Claim 1 and incorporated in Claims 3-5. Additionally, Applicants submit that Zarefoss does not appear to teach, suggest, or describe such recitals. Accordingly, withdrawal of the rejection of Claims 3-5 is respectfully requested. For similar reasons withdrawal of the rejection of Claims 14-16 and 25-27 is requested

Claims 7-11, 18-22 and 29-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Selgas and U.S. Publication No. 2002/0095322 ("Zarefoss") in view of U.S. Publication No. 2006/0271989 ("Glaser"). Applicants respectfully submit that the foregoing remarks regarding Selgas and Zarefoss apply equally well here. Applicants note that Glaser is not cited for teaching, suggesting, or disclosing a method for detecting gaps in data comprising defining at least a first stream associated with a particular user's activities and a second stream associated with that user's activities from a network topology for presenting a logical website and when all streams are gap free, recreating the user's activities as set forth in Claim 1. Additionally, Applicants submit that Glaser does not appear to teach, suggest, or describe such recitals. Accordingly, withdrawal of the rejection of Claims 7-11 is respectfully requested. For similar reasons, withdrawal of the rejection of Claims 18-22 and 29-33 is respectfully requested.

Conclusion

Applicants have now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include any acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicants respectfully request full allowance of Claims 1, 3-12, 14-23, and 25-33. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

Sprinkle IP Law Group
Attorneys for Applicant



John L. Adair
Reg. No. 48,828

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1301 W. 25th Street, Suite 408
Austin, TX 78705
Tel. (512) 637-9220
Fax. (512) 371-9088

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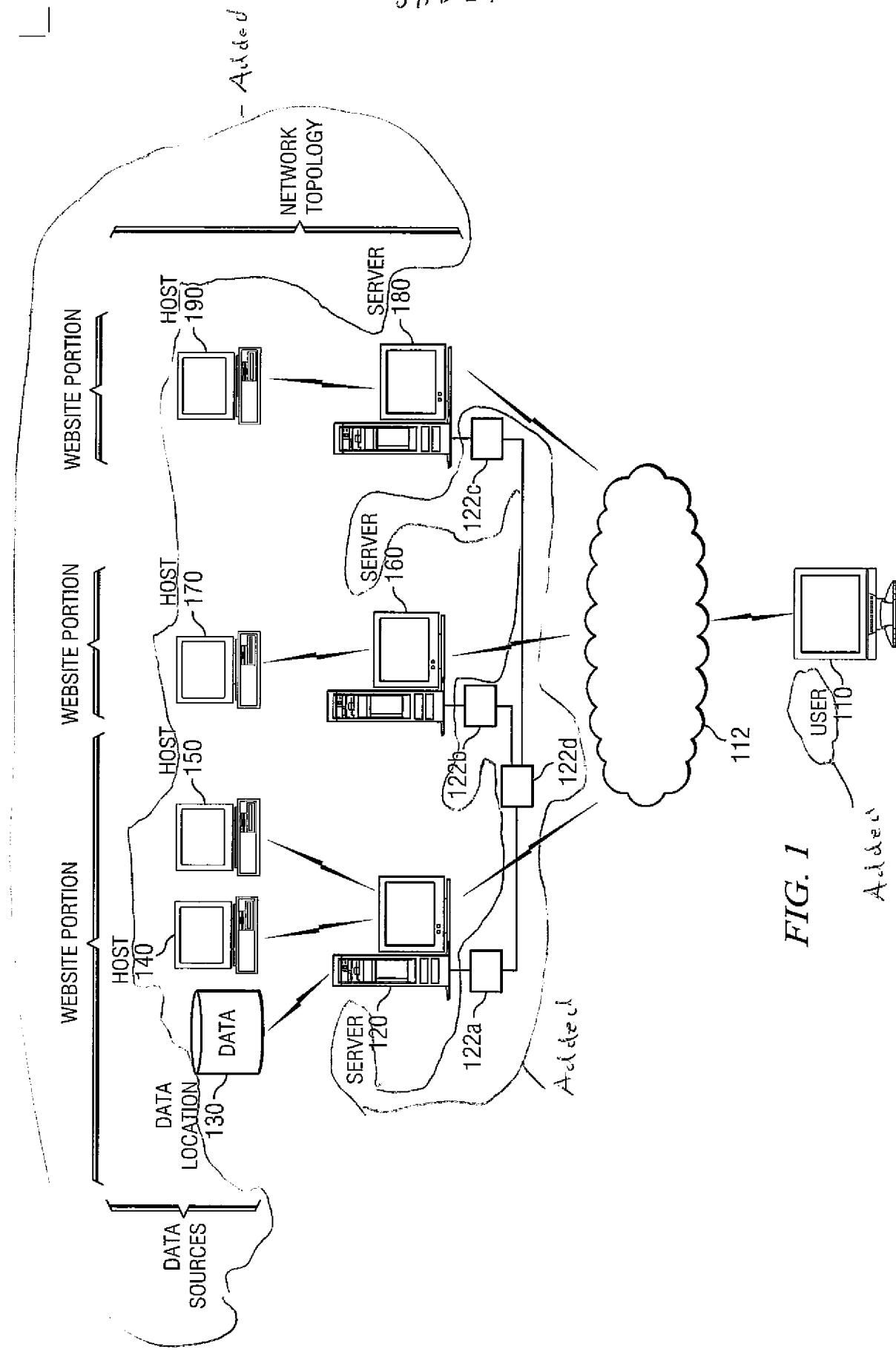


FIG. 1

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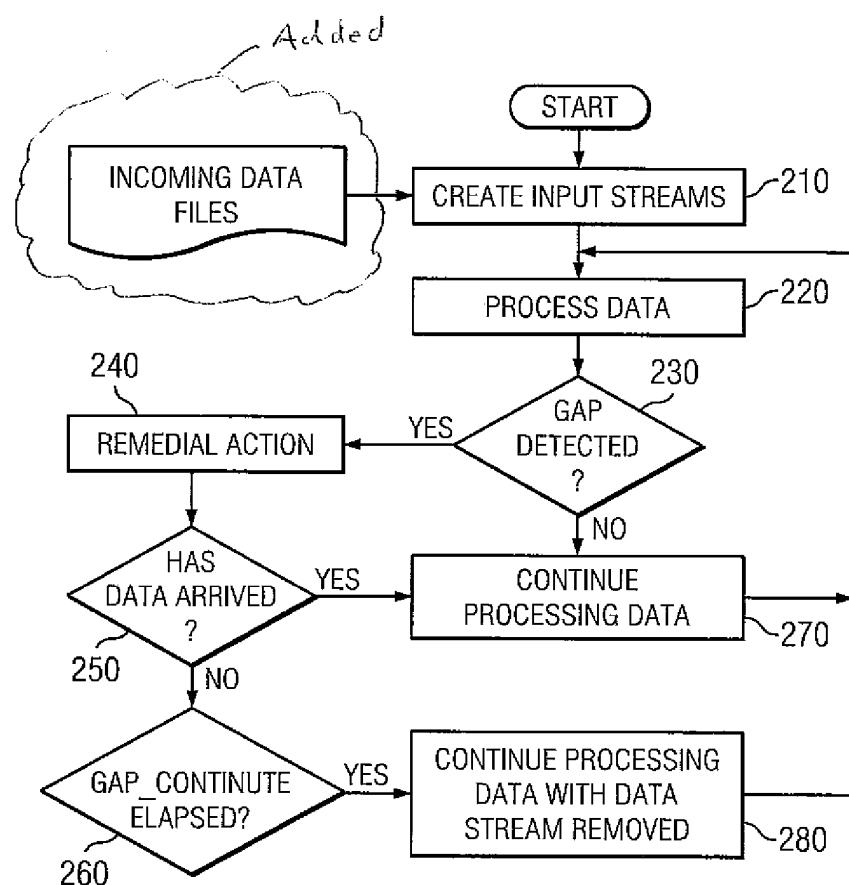


FIG. 2